

ORDINANCE NO. 17,953

AN ORDINANCE APPROVING A SPECIAL USE IN A CLASS C-1 (GENERAL COMMERCIAL) DISTRICT FOR AN ADULT USE CANNABIS DISPENSARY FOR THE PROPERTY LOCATED AT 4600 N BRANDYWINE DRIVE (PARCEL IDENTIFICATION NO. 14-19-403-006), PEORIA IL.

WHEREAS, the property herein described is now zoned in a Class C-1 (General Commercial) District; and

WHEREAS, said Planning & Zoning Commission has been petitioned to approve a Special Use for an Adult Use Cannabis Dispensary under the provisions of Section 2.9 of Appendix A, the Unified Development Code of the City of Peoria; and

WHEREAS said Planning & Zoning Commission held a public hearing on February 3, 2022, pursuant to a notice of the time and place thereof in a newspaper of general circulation in the City of Peoria, not less than fifteen (15) days nor more than thirty (30) days prior to said hearing as required by law; and

WHEREAS, said Planning & Zoning Commission has submitted its report of said hearing and the City Council finds that to permit such special use will not adversely affect the character of the neighborhood, and will not unduly burden the public utility facilities in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, AS FOLLOWS:

Section 1. That a Special Use for an Adult Use Cannabis Dispensary is hereby approved for the following described property:

DESCRIPTION OF PROPERTY:

Part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 19, Township 9 North, Range 8 East of the Fourth Principal Meridian, more particularly bounded and described as follows: Commencing at the center of said Southeast Quarter of Section 19; thence North along the East line of the Northwest Quarter of the Southeast Quarter of Section 19, 339.24 feet to a pipe; thence North 89 degrees 41 minutes West 501.2 feet, more or less, to the Northeasterly right of way of State Route 150 as conveyed in Book 1262, page 392; thence Southeasterly 27.3 feet to a point which is 200.0 feet radially distant Northeasterly from the survey line curve of State Route 150; thence Southeasterly 199 .1 feet to a point which is 225.0 feet radially distant Northeasterly, from said survey line curve; thence Southeasterly 180.2 feet to a point on the South line of the Northwest Quarter of the Southeast Quarter of Section 19, which is 150.9 feet radially distant Northeasterly from the said survey line curve; the last 3 mentioned courses being the Northeasterly right of way of State Route 150 as conveyed in Book 1262, page 392; thence East along the South line Of the Northwest Quarter of the Southeast Quarter of Section 19, 322.8 feet, more Or less, to the point of beginning, EXCEPTING THEREFROM, however, the following: That portion of the above described premises heretofore conveyed to the State of Illinois by Deed recorded June 6, 1063 in Book 1262, page 392, described as follows: A part of the Northwest Quarter of the Southeast Quarter of Section 19, Township 9 North, Range 8 East of the Fourth Principal Meridian, described in detail as follows: Commencing at a stone at the center of the Southeast Quarter of said Section 19 and running thence Westerly 414.2 feet, more or less, along the South line of the Northwest Quarter of the Southeast Quarter of said Section 19, to the Point of Beginning on the existing Northeasterly right of way line of Federal Aid Route 31. From Point of Beginning running thence Northwesterly 409 .0 feet, more or less, along the curved Northeasterly right of way line of said Route 31, to the Northerly line of the lands of the Grantor, thence East 132.6 feet, along the said Northerly line, to a point which is 186.0 feet radially distant, Northeasterly, from the survey

line curve of said Route 31; thence Southeasterly 27 .3 feet to a point which is 200.0 feet radially distant, Northeasterly, from said survey line curve; thence Southeasterly 199.1 feet to a point which is 225.0 feet radially distant, Northeasterly, from the said survey line curve; thence Southeasterly 180.2 feet to a point on the South line of the Northwest Quarter of the Southeast Quarter of said Section 19 which is 150.6 feet radially distant Northeasterly, from the said survey line curve; thence Westerly 91.4 feet, along the South line of said quarter Section to the Point of Beginning; AND ALSO EXCEPTING those premises described as follows: Part of the Northwest Quarter of the Southeast Quarter of Section 19, Township 9 North, Range 8 East of the Fourth Principal Meridian, being more particularly described as follows: Commencing at a stone found at the center of the Southeast Quarter of said Section 19; thence South 88 degrees 46 minutes 46 seconds West 12.82 feet to the place of beginning of the tract to be described. From the place of beginning running thence South 88 degrees 46 minutes 46 seconds West 209.26 feet to an iron pipe on the existing Northeasterly right of way of Federal Aid Route 3 1; thence North 11 degrees 14 minutes 4 7 seconds West, along the said existing Northeasterly right of way line 90.3 8 feet; thence North 88 degrees 46 minutes 46 seconds East a distance of 225.0 feet; thence South 1 degree 13 minutes 14 seconds East, a distance of 89.0 feet to the place of beginning, situated in PEORIA COUNTY, ILLINOIS.

PIN: 14-19-403-006

Common Address: 4600 North Brandywine Drive, Peoria, IL 61614.

Said Ordinance is hereby approved per the submitted Site Plan (Attachment A) and the following conditions:

1. Public sidewalks shall be required along the Brandywine frontage. Part of Brandywine Drive in front of this parcel is under the jurisdiction of the State of Illinois. A permit from IDOT may be required for any work in the right-of-way.
2. Pedestrian connections to the public sidewalk shall be provided pursuant to Section 8.1.5.I. of the Unified Development Code.
3. The applicant shall contact CityLink to investigate the possible placement of a Transit Shelter along the Brandywine Drive frontage as Transit Line #14 runs along the site frontage. This condition shall be reviewed in conjunction with any permitting for sidewalks.
4. Bicycle parking shall be installed pursuant to Section 8.1.6. of the Unified Development Code.
5. All parking areas shall adhere to the regulations from Section 8.1. of the Unified Development Code with respect to parking surface and handicapped & general parking striping and signage.
6. A landscaping plan shall be submitted for review of the site for compliance.
7. Refuse containers shall be screened pursuant to Section 13-13 of the City Code.
8. All proposed signs shall adhere to current requirements and shall be reviewed through a separate building permit process.

Section 2. All provisions of Appendix A, the Unified Development Code of the City of Peoria, with respect to the Class C-1 (General Commercial) District shall remain applicable to the above-described premises, with exception to the Special Use herein permitted.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS THIS

22nd DAY February, 2022.

APPROVED:

Fateh Ali
Mayor

ATTEST:

Stephanie Jarr
City Clerk

EXAMINED AND APPROVED:

Christine L. Kapuska
Corporation Counsel

